AMENDMENTS TO THE CLAIMS

This listing of the claims will replace all prior versions and listings of claims in the application:

1-34. (cancelled).

35. (currently amended) A device for treating tissue comprising:

an elongate shaft having a proximal end, a distal end, and a lumen extending between the proximal end and the distal end;

at least one injury effector located at the distal end of the elongate shaft, capable of producing an injury at a first tissue location, and having no therapeutic substance delivery capabilities;

at least one therapeutic substance delivery effector located at the distal end of the elongate shaft, capable of delivering a therapeutic substance to a second tissue location; and

at least one marking effector located at the distal end of the elongate shaft for creating a position marker at a third tissue location to indicate treated tissue;

wherein the at least one injury effector and the at least one marking effector are capable of being sequentially actuated by a control structure;

wherein at least a portion of the lumen is configured to receive the therapeutic substance; and

wherein at least a portion of the at least one injury effector passes through, and is electrically isolated from, the portion of the lumen configured to receive the therapeutic substance.

36. (previously presented) The device of claim 35, wherein the at least one injury effector is capable of inducing a mechanical, chemical, substance, or energy injury.

37. (previously presented) The device of claim 35, wherein the at least one therapeutic substance delivery effector is in fluid communication with the portion of the lumen configured to receive the therapeutic substance.

38. (currently amended) The device of claim 35, ~~further comprising a~~ wherein the control structure is operably connected to the elongate shaft for actuation of the device by user activation.

39. (previously presented) The device of claim 35, wherein the lumen is in fluid communication with a therapeutic substance reservoir.

40. (previously presented) The device of claim 38, wherein the at least one injury effector and at least one therapeutic substance delivery effector are capable of being simultaneously actuated by the control structure.

41. (previously presented) The device of claim 38, wherein the at least one injury effector and at least one therapeutic substance delivery effector are capable of being sequentially actuated by the control structure.

42. (previously presented) The device of claim 35, wherein the distal end of the elongate shaft is steerable.

43. (previously presented) The device of claim 35, wherein the elongate shaft comprises an endoscope.

44. (previously presented) The device of claim 35, wherein the elongate shaft comprises an open surgical hand held device.

45. (previously presented) The device of claim 35, wherein the at least one injury effector has a first exposed length and the at least one therapeutic-substance delivery effector has a second exposed length, and wherein the first exposed length is greater than the second exposed length.

46. (previously presented) The device of claim 35, wherein a plurality of therapeutic-substance delivery effectors are disposed radially around at least one injury effector.

47. (cancelled).

48. (cancelled).

49. (currently amended) The device of claim 35, wherein the ~~position marker created by the at least one marking effector is at a~~ third tissue location is different from the first tissue location and the second tissue location.

50. (cancelled).

51. (new) The device of claim 35, wherein the second tissue location is below an outer surface of the tissue.

52. (new) A device for treating tissue comprising:

an elongate shaft having a proximal end, a distal end, and a lumen extending between the proximal end and the distal end;

at least one injury effector located at the distal end of the elongate shaft, capable of producing an injury at a first tissue location, and having no therapeutic substance delivery capabilities;

at least one therapeutic substance delivery effector located at the distal end of the elongate shaft, capable of delivering a therapeutic substance to a second tissue location; and

at least one marking effector located at the distal end of the elongate shaft for creating a position marker at a third tissue location to indicate treated tissue;

wherein the at least one marking effector is separate from the at least one injury effector;

wherein at least a portion of the lumen is configured to receive the therapeutic substance; and

wherein at least a portion of the at least one injury effector passes through, and is electrically isolated from, the portion of the lumen configured to receive the therapeutic substance.